

REMARKS

Claims 1-18 are pending and under consideration. Claims 1-18 have been provisionally rejected based on the judicially-created ground of non-statutory obviousness-type double patenting as being unpatentable over claims of co-pending Application No. 10/658,053. The entire interest in co-pending Application No. 10/658,053 is owned by the assignee of the entire interest of the instant application, namely Sonus Networks, Inc.

The Office Action states that claims 1-18 would be allowable if a terminal disclaimer signed by the assignee complying with 37 C.F.R. 1.321(c) or 1.321(d) is filed. In the interest of expediting prosecution, Applicants submit herewith an executed copy of a Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c) disclaiming over co-pending Application No. 10/658,053. In view of the Terminal Disclaimer filed herewith, Applicants respectfully submit that these double-patenting rejections have been overcome, and Applicants respectfully request withdrawal of this ground of rejection.

CONCLUSION

Applicant's discussion of particular positions of the Examiner does not constitute a concession with respect to any positions that are not expressly contested by the Applicant. Applicant's emphasis of particular reasons why the claims are patentable does not imply that there are not other sufficient reasons why the claims are patentable nor does it imply the claims were not allowable in their unamended form.

In view of the foregoing remarks and the inability of the prior art, alone or in combination to anticipate, suggest, or make obvious the subject matter as a whole of the invention disclosed and claimed in this application, all claims are submitted to be in a condition for allowance, and notice thereof is respectfully requested. If the Examiner believes that a telephone conversation with Applicant's attorney would expedite allowance of this application, the Examiner is cordially invited to call the undersigned.

Respectfully submitted,

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